

CHRISTINE N. MOORE, OSB NO. 060270

christine@richardsonwright.com

JASON WRIGHT, OSB NO. 062168

jason@richardsonwright.com

MELINA MARTINEZ, OSB NO. 162415

melina@richardsonwright.com

RICHARDSON WRIGHT LLP

805 SW Broadway, Suite 470

Portland, OR 97205

Telephone: (503) 546-4637

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

RUMPAKIS FAMILY TRUST, with MIKE
K.J. RUMPAKIS and LOUISE B.
RUMPAKIS, acting in their capacity as co-
trustees of the RUMPAKIS FAMILY
TRUST,

Plaintiffs,

v.

REGENT INSURANCE COMPANY, a
Wisconsin Corporation,

Defendant.

Case No. 3:20-cv-01271-HZ

**JOINT MOTION TO STAY AND ABATE
CASE**

LR 7-1 COMPLIANCE

In compliance with Local Rule 7-1, counsel for Plaintiffs and counsel for Defendant Regent Insurance Company hereby certify that they have conferred and jointly move for entry of an Order granting this Joint Motion to Stay and Abate Case.

Page 1 - JOINT MOTION TO STAY AND ABATE CASE

RICHARDSON WRIGHT LLP

805 SW Broadway, Suite 470

Portland, OR 97205

Telephone: (503) 546-4637

MOTION

Plaintiffs and Defendant, without waiving any of their rights, remedies, claims, and/or defenses, hereby jointly move the Court for an Order to stay and abate this case. The underlying dispute between Plaintiffs and developer PMC Building, LLC (“Developer”) over certain damage to Plaintiffs’ real property located at 307 SE Washington St., Portland, Oregon (the “Property”), is presently pending arbitration. Below is a list of the consolidated arbitration matters currently pending before the Arbitration Service of Portland (ASP):

Case No. 191007-2	<i>PMC Building, LLC vs. Dr. John M. Rumpakis, The Joyce M. Bitar Living Trust, The Rumpakis Family Trust</i>
Case No. 20-0414	<i>John M. Rumpakis, The Joyce M. Bitar Living Trust, The Rumpakis Family Trust v. PMC Building, LLC</i>
Case No. 200501-2	<i>PMC Building, LLC v. Andersen Construction Company of Oregon, LLC, Hacker Architects, Inc.</i>
Case No. 200622	<i>Hacker Architects v. KPFF Consulting Engineers</i>
Case No. 200813-2	<i>Andersen Construction Company of Oregon v. LOI Environmental & Demolition, and P.R. Worth, Inc.</i>

Recently, the Multnomah Circuit Court stayed the following related actions pending arbitration of the above ASP matters:

Case No. 19CV34031	<i>John M. Rumpakis, The Joyce M. Bitar Living Trust, The Rumpakis Family Trust vs PMC Building LLC</i>
Case No. 20CV19059	<i>John M. Rumpakis, The Joyce M. Bitar Living Trust, The Rumpakis Family Trust vs Lake Oswego Insulation Co., Andersen Construction Company of Oregon LLC, ASI Structures, LLC</i>

Litigation of this instant case may prove unnecessary should Plaintiffs fully recover on their claims at arbitration. It is likely that the outcome of the arbitration will not be known until late 2021.

CONCLUSION

The parties believe that staying and abating this case pending resolution of the ASP arbitration matters would serve the interest of judicial efficiency. Thus, the parties respectfully and jointly request entry of an Order by this Court granting this Joint Motion to Stay and Abate Case.

DATED: January 8, 2021.

RICHARDSON WRIGHT LLP

By: s/ Melina Martinez

Christine N. Moore, OSB No. 060270
christine@richardsonwright.com
Jason Wright, OSB No. 062168
jason@richardsonwright.com
Melina Martinez, OSB No. 162415
melina@richardsonwright.com
Telephone: (503) 546-4637
Attorneys for Plaintiffs

DUNN CARNEY LLP

By: s/Brian R. Talcott

Brian R Talcott, OSB No. 965371
btalcott@dunncarney.com
851 SW 6th Ave Ste 1500
Portland OR 97204
Attorney for Defendant